

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**UNITED STATES OF AMERICA**

\*

**VS.**

\*

**Criminal H 17-65**

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**ANDREW CRAIG SUSTAITA**

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**Judge Sim Lake**

**DEFENDANT’S UNOPPOSED MOTION FOR CONTINUANCE OF TRIAL  
AND REQUEST FOR A NEW DOCKET CONTROL ORDER**

Defendant Andrew Craig Sustaita, Defendant, requests the Court to continue the trial setting of November 13, 2017 and to issue a new docket control order for the following reasons:

1. In a phone conversation on October 30, 2017, AUSA Sherri Zack stated that the government has recently discovered additional new evidence.
2. This new evidence has not yet been provided to the defense.
3. AUSA Sherri Zack stated that she is unopposed to a continuance.
4. Defendant waives his Speedy Trial rights.
5. This motion is not sought for purposes of delay, but so that justice may be done.

Therefore, Defendant requests that this Court continue this matter from its current trial setting of November 13, 2017 and request that the Court issue a new docket control order.

Respectfully submitted,

*/s/ Nathan Hennigan*

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### **CERTIFICATE OF CONFERENCE**

The motion is unopposed by AUSA Sherri Zack as per our phone conversation of October 30, 2017.

*/s/ Nathan Hennigan*

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Nathan Hennigan

### **CERTIFICATE OF SERVICE**

A true and correct copy of the foregoing motion has been forwarded to all counsel of record by the SDTX ECF system on this 30<sup>th</sup> day of October, 2017.

*/s/ Nathan Hennigan*

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Nathan Hennigan